

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THOMAS A. LUBRANO,

Plaintiff, ORDER
10-CV-2598 (JS) (AKT)
-against-

STATE OF NEW YORK, COUNTY OF SUFFOLK,
TOWN OF BROOKHAVEN, DAVID A. PATERSON,
Governor of New York, STEVE LEVY,
Executive of Suffolk County, MARK
LESKO, Supervisor of Town of Brookhaven,

Defendants.

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APPEARANCES

For Plaintiff: Thomas A. Lubrano, pro se
P.O. Box 297
Shirley, NY 11967

For Defendants:

Suffolk County Defs. Rudolph Max Baptiste, Esq.
Suffolk County, Department of Law
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Hauppauge, NY 11788

Brookhaven Defs. David T. Fowler, Esq.
Teresa Campano, Esq.
McCabe, Collins McGeough & Fowler, LLP
346 Westbury Avenue
Carle Place, NY 11514

N.Y.S. Defs. Susan M. Connolly, Esq.
N.Y.S. Office of the Attorney General
300 Motor Parkway, Suite 205
Hauppauge, NY 11788

SEYBERT, District Judge:

Presently pending before the Court is pro se Plaintiff
Thomas A. Lubrano's motion for leave to appeal in forma

pauperis. (Docket Entry 47.) Under the Federal Rules of Appellate Procedure, "a party who desires to appeal in forma pauperis" may do so by filing a motion in the district court accompanied by an affidavit stating, among other things, "the issues that the party intends to present on appeal." FED. R. APP. P. 24(a)(3); see also United States v. Farley, 238 F.2d 575, 576 (2d Cir. 1956) ("[A] application for leave to appeal in forma pauperis will have sufficient substance to warrant consideration only if . . . it identifies with reasonable particularity the claimed errors which will be the basis for the appeal.").

Here, Plaintiff has failed to state which issue(s) he intends to raise on appeal; therefore, the Court must deny Plaintiff's request. See Frias v. United States, Nos. 09-CV-2537, 01-CR-0307, 2011 WL 832903, at *2 (S.D.N.Y. Mar. 4, 2011).

CONCLUSION

For the foregoing reasons, Plaintiff's request to proceed in forma pauperis on appeal is DENIED. The Clerk of the Court is directed to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: February 22, 2012
Central Islip, NY